

THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

SUMMER NETTERVILLE, as mother and  
guardian on behalf of JEREMIAH HARRIS,  
and JERRY HARRIS, minors on behalf of  
themselves and others similarly situated,

Plaintiffs,

V.

PRINCIPAL MICHAEL JOHNSON, TEACHER)  
MS. ALAVAREZ, TEACHER MS. CURRY, )  
CHICAGO BOARD OF EDUCATION, and )  
REAVIS ELEMENTARY MATH AND )  
SCIENCE, and the CITY OF CHICAGO, )

Defendants.

No. 08 C 2644

Judge Zagel

Magistrate Brown

**DEFENDANT BOARD'S MOTION FOR ENLARGEMENT OF TIME  
TO FILE ITS ANSWER OR OTHER RESPONSIVE PLEADING**

Defendant Chicago Board of Education (“Board”), by its attorneys, and pursuant to Fed. R. Civ. P. 6(b), moves for an enlargement of time to answer the Complaint or otherwise plead. In support of its motion, defendant Board states as follows:

1. This is a suit regarding an alleged limitation and/or denial of a bathroom break to two students who previously attended Reavis Elementary School.
2. The Board was served with the Complaint on June 18, 2008, and its answer or other responsive pleading is due by July 8, 2008.
3. The co-defendants who are teachers and school administrators, and who allegedly limited Plaintiffs' bathroom privileges, have not yet been served.

4. The Board's counsel has not been able to complete the investigation into Plaintiffs' Complaint.

5. The Board respectfully requests that the court grant it twenty (20) days after the date of service to the individuals to prepare and file the appropriate responsive pleading.

6. This motion is not filed for the purpose of unduly delaying the resolution of this matter.

7. No harm or unfair prejudice will result to Plaintiffs by the court's granting of this motion.

**WHEREFORE**, defendant Board respectfully requests that the court grant it twenty days (20) after the date of service to the individual defendants to file its answer or other responsive pleading.

Respectfully submitted,  
Patrick J. Rocks  
General Counsel

By: s/ Sunil Kumar  
Sunil Kumar  
Assistant General Counsel  
Board of Education of the City of Chicago  
125 S. Clark Street, Suite 700  
Chicago, Illinois 60603  
773/553-1700

**CERTIFICATE OF SERVICE**

I, Sunil Kumar, an attorney do hereby certify that I caused the attached **Motion for Enlargement of Time** to be served upon counsel of record *via* CM-ECF E-Filing pursuant to General Order on Electronic Case Filing, Section XI(C), on this 8th day of July, 2008.

s/ Sunil Kumar

Sunil Kumar

Assistant General Counsel

Board of Education of the City of Chicago

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